

CITY OF TEMPLE CITY MUNICIPAL CODE

ARTICLE VIII - STORM WATER POLLUTANT ELIMINATION

CHAPTER 1 - GENERAL PROVISIONS

SECTIONS

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8100. PURPOSE.

The purpose of this chapter is to protect the public health, welfare and safety and to reduce the quantity of pollutants being discharged to the waters of the United States.

A. Objectives.

1. Elimination of non-storm water discharges to the municipal storm sewer system.
2. Elimination of spillage, dumping and disposal of pollutants into the municipal storm sewer system
3. Reduction of pollutants in storm water discharges to the maximum extent practicable.
4. To protect and enhance the quality of the waters of the United States in a manner consistent with the provisions of the Federal Clean Water Act.

{Ord. 96-799}

8101. DEFINITIONS.

Best Management Practice shall mean activities, practices, facilities, and procedures that when implemented prevent or reduce the pollution of waters of the state.

City shall mean the City of Temple City.

CFR shall mean the current issue of the Code of Federal Regulations.

Manager shall mean the current City Manager of the City of Temple City or authorized deputy, agent, representative or inspector.

Exempted Discharge shall mean any discharge to the municipal storm water system that is not subject to the provisions of this article. Exempted discharges are listed in Chapter 2, Section 8201 B of this article.

Illicit Connection shall mean any man-made conveyance that is connected to the storm drain system without a permit.

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Illicit Discharge shall mean any material discharged to the municipal storm water system which has not been generated by and consist primarily of rainfall, or which the discharge occurs 72-hours or more after the most recent storm, or that is not either permitted by a valid NPDES permit or, considered an exempted discharge under Chapter 2, Section 8201 B of this article.

Municipal Storm Water System shall mean any facility within the City by which storm water runoff is conveyed to the waters of the United States. This system includes, but is not limited to flood control channels, roads with drainage systems, streets, catch basins, inlets, curbs, ditches, gutters, storm drains, canals, pipes, and fabricated and natural channels.

New Development Project shall mean for the purposes of this article, a new development project and shall include, but not be limited to the following:

- A. Development of a residential subdivision consisting of ten or more individual homes.
- B. Development of an industrial or commercial building or property of 100,000 square feet or greater.
- C. A restaurant or other food service establishment.
- D. A gasoline station or other similar establishment providing automotive or truck maintenance and repair services.
- E. Any development in hillside areas.
- F. Any development required by the City Manager to submit an urban runoff mitigation plan consistent with the goals of this article.

Non-Storm Water Discharge shall mean any discharge to a municipal storm drain system that is not directly generated by and composed primarily of rainfall and discharges within 24-hours of the end of the most recent storm.

NPDES shall mean National Pollutant Discharge Elimination System.

Owner when applied to a building or land, shall mean any part owners, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety of the whole or of a part of such building or land.

Person shall mean any natural person, firm, association, club, organization, corporation, partnership, business trust, company or other entity which is recognized by law as the subject of rights or duties.

Pollutant shall mean any substance introduced into the environment that may directly or indirectly result in adverse effects on the beneficial uses of a resource. Pollutants may include, but are not limited to:

- A. Artificial materials, chips or pieces of natural or man-made materials.
- B. Household waste.
- C. Commercial and industrial waste.
- D. Metals such as cadmium, lead, zinc, copper, silver, nickel, chromium and non-metals such as phosphorus and arsenic.
- E. Petroleum hydrocarbons.

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- F. Excessive eroded soils, sediment and particulate materials.
- G. Substances having characteristics such as a pH level of less than six or greater than nine, unusual coloration or turbidity, excessive levels of fecal coliform, fecal streptococcus, or enterococcus.
- H. Waste materials and waste water generated by construction activities.
- I. Materials causing an increase in biochemical oxygen demand, chemical oxygen demand or total organic carbon.
- J. Materials which contain base/neutral or acid extractable organic compounds.
- K. Those pollutants defined in §1362(6) of the Federal Clean Water Act.
- L. Any other constituent or material that may interfere with or adversely affect the beneficial uses of the receiving waters, flora, or fauna of the state.

Premises shall mean any building, lot, parcel of land, land, or portion of land whether improved or unimproved.

Significant Material shall mean materials that include, but not limited to:

- A. Raw materials.
- B. Fuels.
- C. Materials such as solvents, detergents, and plastic pellets.
- D. Finished materials such as metallic products.
- E. Raw materials used in food processing or production.
- F. Hazardous substances designated under Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).
- G. Any chemical a facility is required to report pursuant to Section 313 of Title III of Superfund Amendments and Re-authorization Act (SARA).
- H. Fertilizers.
- I. Pesticides.
- J. Waste products such as ashes, slag, and sludge that have the potential to be released with storm water discharges.

Storm Water Treatment System shall mean any physical system designed and/or used to reduce the concentrations of pollutants in storm water runoff.

Storm Water Runoff shall mean that part of precipitation which travels via flow across a surface to the storm drain system or receiving waters.

{Ord. 96-799}

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8102. RESPONSIBILITY FOR ADMINISTRATION.

Responsibility for the administration and implementation of this article shall be the responsibility of the City Manager for the City of Temple City.

A. Delegation of Powers.

1. Whenever a power is granted to or a duty is imposed upon the City Manager by this article, that power may be exercised or the duty may be performed by a deputy of the City Manager or a person authorized pursuant to law by the Manager, unless this article expressly provides otherwise.

{Ord. 96-799}

8103. REGULATORY CONSISTENCY.

The provisions of this article shall take precedence over any inconsistent or conflicting provisions of the City of Temple City Municipal Code. {Ord. 96-799}

8104. TIME LIMITS.

Any time limit provided for in the provisions of this article may be extended by mutual written consent of the City Manager and the permittee, applicant, or other affected person. {Ord. 96-799}

8105. SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this article or any part thereof, is held invalid, or unconstitutional, such decision shall not affect the validity of the remaining section or portions of this article or part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this chapter irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional. {Ord. 96-799}

8106. FEES.

Fees to be charged for plan checking, inspection and enforcement and any other activities carried out by the City under this section shall be specified by resolution of the City Council. {Ord. 96-799}

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ARTICLE VIII - STORM WATER POLLUTANT ELIMINATION

CHAPTER 2 - ILLICIT CONNECTIONS AND ILLICIT DISCHARGES

SECTIONS

8200	ILLICIT CONNECTIONS
8201	ILLICIT DISCHARGES
8202	ACCIDENTAL DISCHARGES
8203	LITTERING
8204	DISCHARGE OF DISCONTINUED OR BANNED CHEMICALS

8200. ILLICIT CONNECTIONS.

A. Prohibition of Illicit Connections.

1. It is a violation of this article to establish any illicit connection to the municipal storm sewer system.
2. This prohibition is retroactive and applies to connections made in the past, regardless of whether permissible under the law or practices applicable or prevailing at the time of the connection.

B. Removal of Existing Illicit Connections.

1. It is a violation of this article to maintain any illicit connection to the municipal storm sewer system after discovery.
2. All illicit connections are required to be removed or otherwise sealed in a manner approved by the City Manager.

(Ord. 96-799)

8201. ILLICIT DISCHARGES.

A. Illicit Discharges Prohibited.

1. It is a violation of this article for a person to cause any illicit discharge to enter the municipal storm sewer system unless that discharge is:
 - a. A non-storm water discharge authorized by and consistent with the provision of a valid NPDES permit.
 - b. An exempted discharge.
 - c. Is deemed by the City Manager or authorized representative to be necessary to the public health, safety or welfare.

B. Exempted Discharges.

1. Non-storm water discharges from the following activities when properly managed as determined by the City Manager are hereby exempted from the provisions of this article:

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- a. Flows from riparian habitats or wetlands.
- b. Diverted stream flows.
- c. Springs.
- d. Rising ground waters.
- e. Uncontaminated groundwater infiltration.
- f. Discharges or flows from emergency fire fighting activities.
- g. Landscape irrigation.
- h. Water line flushing.
- i. Potable water sources provided the discharges are managed in accordance with an approved industry-wide standard pollution prevention practices developed by the American Water Works Association, California-Nevada Section, or equivalent document; and in compliance with any requirements established by the City.
- j. Foundation drains.
- k. Footing drains.
- l. Air conditioning condensate.
- m. Irrigation water.
- n. Lawn watering.
- o. Water from crawl space pumps.
- p. Individual residential car washing.
- q. Street washing (including sidewalk washing).

Specific non-storm water discharges may be added to the list of exempted discharges when, in the opinion of the City Manager, such discharges would not pose an actual or potential threat to water quality.

- C. Cleanup of Illicit Discharges Required. If a person responsible for an illicit discharge is identified, it is the responsibility of that person to clean up the illicit discharge to the satisfaction of the City Manager and in a timely manner.

{Ord. 96-799}

8202. ACCIDENTAL DISCHARGES.

- A. Immediate Notification Required. In the event of an uncontrolled discharge of a pollutant or pollutants or a mixture containing a pollutant or pollutants, the discharger shall immediately notify the City of the incident by telephone. The notification shall include the location of the discharge, the type, concentration and volume of material being discharged and any corrective actions taken.

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- B. Written Notification Required. Within ten (10) days after the uncontrolled discharge, the discharger shall submit to the City a detailed written report describing the cause of the discharge, corrective action taken and measures to be taken to prevent future occurrences. Such notification shall not relieve the discharger of liability or fines incurred as a result of the uncontrolled discharge.

{Ord. 96-799}

8203. LITTERING.

It is a violation of this article for any person to throw, deposit, discard, place, leave, maintain, keep or permit to be thrown, deposited, discarded, placed, left, maintained or kept any refuse, rubbish, garbage, trash or other waste material in or upon any street, alley, sidewalk, storm drain, inlet, catch basin, drainage structure, business place, or upon any public or private plot of land in the City, except in containers, recycling bags, or other lawfully established waste disposal facilities. {Ord. 96-799}

8204. DISCHARGE OF DISCONTINUED OR BANNED CHEMICALS.

It is a violation of this ordinance for any person to discharge any material to the municipal storm water system, containing any pesticide, herbicide or fungicide, the manufacture of which has been banned by the Environmental Protection Agency or the California Department of Pesticide Regulation. {Ord. 96-799}